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15 APR 2008

REBECCA RUTTER  
27 CINQUE PORTS WAY  
SEAFORD  
EAST SUSSEX  
GREAT BRITAIN  
BN25 3UE

In re Application of CLAYTON et al.  
Application No.: 10/561,713  
PCT No.: PCT/GB04/02707  
Int. Filing: 23 June 2004  
Priority Date: 23 June 2003  
Attorney Docket No.: 5585-72843-01  
For: INFLAMMATORY DISEASE TREATMENT :

DECISION ON PETITION  
UNDER 37 CFR 1.47(a)

Dear Ms. Rutter:

This letter is in response to your communication, which was accompanied by an executed declaration, filed in the United States Patent and Trademark Office on 13 February 2008.

The declaration does not meet the requirements of 37 CFR 1.497(a) and (b)<sup>1</sup> because it does not

<sup>1</sup>§ 1.497 Oath or declaration under 35 U.S.C. 371(c)(4).

(a) When an applicant of an international application desires to enter the national stage under 35 U.S.C. 371 pursuant to § 1.495, and a declaration in compliance with this section has not been previously submitted in the international application under PCT Rule 4.17(iv) within the time limits provided for in PCT Rule 26

ter.1, he or she must file an oath or declaration that:

- (1) Is executed in accordance with either §§ 1.66 or 1.68;
- (2) Identifies the specification to which it is directed;
- (3) Identifies each inventor and the country of citizenship of each inventor; and
- (4) States that the person making the oath or declaration believes the named inventor or inventors to be the original and first inventor or inventors of the subject matter which is claimed and for which a patent is sought.

(b)(1) The oath or declaration must be made by all of the actual inventors except as provided for in §§ 1.42, 1.43 or 1.47.

(2) If the person making the oath or declaration or any supplemental oath or declaration is not the inventor (§§ 1.42, 1.43, or § 1.47), the oath or declaration shall state the relationship of the person to the inventor, and, upon information and belief, the facts which the inventor would have been required to state. If the person signing the oath or declaration is the legal representative of a deceased inventor, the oath or declaration shall also state that the person is a legal representative and the citizenship, residence and mailing address of the legal representative.

identify all inventors listed in international application PCT/GB04/02707, providing the residence, citizenship and mailing address for each inventor. Thus, the declaration is unacceptable and does not meet the requirements of 35 U.S.C. 371(c).

Counsel of record (see below) would presumably assist you to joining in the application and in the filing of an appropriate oath or declaration by you.



Cynthia M. Kratz  
Attorney Advisor  
PCT Legal Office

Telephone: (571)272 -3286

KLARQUIST SPARKMAN, LLP  
121 SW SALMON STREET  
SUITE 1600  
PORTLAND OR 97204